



General Assembly

Amendment

February Session, 2008

LCO No. 3821

SB0049603821SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. MCDONALD, 27th Dist.

SEN. HANDLEY, 4th Dist.
SEN. GAFFEY, 13th Dist.
SEN. STILLMAN, 20th Dist.

To: Senate Bill No. 496

File No. 94

Cal. No. 99

"AN ACT CONCERNING PUBLIC HEALTH PREPAREDNESS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2008*) (a) As used in this
4 section:

5 (1) "Class I recall" means a food recall issued in accordance with the
6 guidelines of the Food Safety and Inspection Service within the United
7 States Department of Agriculture that involves a health hazard in
8 which there is a reasonable probability that eating the food product
9 will cause health problems or death;

10 (2) "Class II recall" means a food recall issued in accordance with the
11 guidelines of the Food Safety and Inspection Service within the United
12 States Department of Agriculture that involves a potential health
13 hazard situation in which there is a remote probability of adverse

14 health consequences from eating the food product;

15 (3) "Customer" means any person, firm, company or other legal
16 entity that buys meat or poultry products from a meat or poultry
17 supplier, distributor, broker or processor;

18 (4) "Meat" means "meat food product" as defined in 21 USC 601 (j),
19 as from time to time amended;

20 (5) "Poultry" means "poultry product" as defined in 21 USC 453 (f),
21 as from time to time amended; and

22 (6) "Retailer" means any person who sells meat or poultry products
23 used primarily for personal, family or household purposes to any
24 person who is not in the business of reselling such goods but does not
25 include an eating establishment as defined in section 12-412 of the 2008
26 supplement to the general statutes.

27 (b) A meat or poultry supplier, distributor, broker or processor that
28 sells to customers in this state meat or poultry products that are subject
29 to a Class I or Class II recall shall immediately notify the Department
30 of Consumer Protection and the Department of Public Health of such
31 Class I or Class II recall and shall provide said departments with a list
32 of all customers in the state that received or will receive any meat or
33 poultry products subject to such recall. The list of customers provided
34 to said departments shall include the following information: (1) The
35 customer's name, address, telephone number, facsimile number and e-
36 mail address; (2) the name of customer's designated contact person; (3)
37 all pertinent identifying product codes, including establishment
38 numbers, package codes and packing date lot numbers; (4) the date or
39 dates that meat or poultry products were delivered in the state or will
40 be delivered in the state; (5) the quantity of meat or poultry products
41 delivered or that will be delivered in the state; and (6) any other
42 information that said departments deem relevant to the product recall.
43 Such information shall be electronically submitted to said departments
44 in a format prescribed by the Department of Consumer Protection. A
45 meat or poultry supplier, distributor, broker or processor shall also

46 provide contemporaneous notification to each customer that received
47 or may receive a meat or poultry product that is subject to recall in a
48 form and manner prescribed by the Department of Consumer
49 Protection. A meat or poultry supplier, distributor, broker or processor
50 shall document any customer notification provided pursuant to the
51 requirements of this section. Such documentation shall minimally
52 include the name of the customer notified, the date and time of
53 notification and the method of providing notification. Documentation
54 of any notification provided shall be maintained by the meat or
55 poultry supplier, distributor, broker or processor for six years
56 following the date of notification and shall be provided to the
57 Department of Consumer Protection upon request.

58 (c) The Department of Consumer Protection, upon receiving
59 information required pursuant to subsection (b) of this section
60 concerning a Class I or Class II meat or poultry recall, shall as soon as
61 practicable take such action as the department deems necessary to: (1)
62 Ensure that customers who received or may receive meat or poultry
63 products subject to any Class I or Class II recall do not sell, resell or
64 donate such products; (2) provide the public with detailed and
65 factually accurate notice of any Class I or Class II meat or poultry
66 product recall; and (3) require any retailer that made available to the
67 public a product that is subject to a Class I or Class II meat or poultry
68 recall to post a point of sale warning for the benefit of the public in a
69 format and manner prescribed by the department.

70 (d) The Department of Public Health, upon receiving the
71 information required pursuant to subdivision (b) of this section, shall
72 use best efforts to as soon as practicable notify a health district or
73 municipal health department of any customer located in such health
74 district or the municipality that was identified as having received, or
75 that may receive, a meat or poultry product that is subject to recall.
76 Notification provided by the department to a health district or
77 municipal health department shall include all information that the
78 department deems relevant concerning the recalled product."